

These are the minutes of the Regular Session of the City of Adams, WI held on February 20, 2006 in the City Municipal Building.

Meeting was called to order at 6:00 p.m. by Mayor Romell. On roll call were Alderpersons Bernhagen, Eggebrecht, Hardin, Jensen, LaQueue, Williams, Mayor Romell, Attorney Pollex Administrator Ellisor, Chief Gold, and Street Superintendent Mead. Clem Safranek and Rob Uphoff - MSA Professional Services, John Hay – Adams County, and numerous citizens were also present.

**Motion by Eggebrecht, second by Bernhagen to approve the minutes of the February 6, 2006 meeting as printed. Roll call vote, all voted aye.**

*Petitions and Communications:*

C. Safranek and R. Uphoff, MSA Professional Services were present to provide information relating to the City's water availability. Information was given stating the City draws its water from the Wisconsin River Basin. The City does not draw water from the upper layer of groundwater, but draws from a deeper source beneath a layer of clay. This layer of clay holds the groundwater, such as in marshes, which will show fluctuations in times of draught. The Wisconsin River Basin is a large underlying lake that runs under an area roughly between north of Antigo and south of Wisconsin Dells, and roughly east to west between Plainfield and Tomah. The Basin does not show periodic fluctuations such as the upper layer of groundwater. Pumping from test wells in the 1970s and 1980s showed no significant fluctuations in the water levels. A test well was sampled for where Well #4 is now located. Pumping of 800 gallons of water per minute over thirty days was conducted. This pumpage equates to 34,560,000 gallons of water within that time period. (Emeraud is proposing to use 50 million gallons per year.) The City has also been monitoring the "static water" levels of Well #4 since 1996 and Well #2 since 1990. This monitoring has shown that the "static water" has not changed over time. The Department of Natural Resources provides information that, assuming thirty days of continuously pumping 800 gallons of water per minute for thirty days, and with no other water entry, outside a mile to a mile and a quarter there would be less than a foot impact. Lake Delton draws from the same water aquifer and has increased their usage from two hundred and fifteen million gallons of water in 1997 to four hundred and forty-two millions gallons in 2004 without a change in the City's water elevations. Larger municipalities, such as Stevens Point and Plover, as well as high capacity irrigation wells also draw from the same aquifer with no significant change in water elevation.

Should Emeraud bottle water provided by the City, the requested amount of water would increase the City's pumpage by approximately 40%. This would be comparable to an increase of about 1,000 additional population in a new subdivision. A company, such as Grande Cheese, would use more water than Emeraud is proposing to bottle. The City of Necedah is selling their water to help pay for an additional well and for additional revenue. Necedah draws from the same aquifer. It was pointed out the City cannot control the amount of water taken by surrounding communities, some of which have doubled in usage.

Concern was expressed about atrazine, benzene, and nitrates migrating in our water source to our wells. The City has had no problem with these contaminants in seventeen years of monitoring. Concern was also expressed that if this plant is allowed, it could be here for a long time and who can predict how much water we will have to pass on to future generations.

Williams stated that in the thirty-five years he has lived in the City, he knows of only approximately 25 new jobs created by Friendship Hardwoods. The City needs jobs to offer its residents. He feels, in general, the people in the City are for this project and would like to see the City grow. The City will grow only with industry. Perhaps the issue should be taken to a referendum.

Bernhagen stated that water belongs to everyone. Does the City have a right to sell our water with only a few jobs being created? She has been contacted by neighbors who are not in favor of this industry. Hardin also stated that she has also received calls.

LaQuee questioned that if we wish to keep this a “retirement town”, who’s going to pay the taxes?

It was also asked what if Smurfit-Stone should close; we need industry.

Objection was also given to the idea of privatization of our natural resources. It was felt that citizens of Adams are not paying for the water itself, but for the infrastructure to deliver the water. Ellisor stated that from a budget standpoint, if the City can’t optimize usage of the water utility, rates will have to increase. The fixed costs are already there and additional sales of water will help hold the line on future rate increases.

Romell countered that high capacity wells are privatization. Water is going out of the community in food, perhaps to foreign markets. He does not wish to be in competition with farmers, and would not be as there is ample water available.

Oxford has Neenah Springs operating within its community. It was questioned if anyone has checked on this operation and the impact to the community.

The comment was made that this community has a large concentration of retired people. It takes a long time to get into the workforce. Jobs are important to the community. Without working people the schools will not survive without adequate enrollment and perhaps the hospital will not survive because possibly medicare payments will not be high enough to support the needs. It is this person’s belief that individuals between the ages of 20 and 40 are in favor of Emerald project.

If jobs are the major interest, it was questioned why the City hasn’t approached the company for manufacturing creating more jobs, not using our natural resources.

**There was no motion to reconsider previous action taken during the February 6, 2006 Council Meeting which defeated a motion to approve the Development Agreement with Emerald Canada Ltd., authorizing the Mayor and City Administrator to sign.**

#### Report of Standing Committees:

**Adams County Fire District:** The Adams County Fire District met February 9, 2006.

There were 5 calls since the last meeting

The tanker has been delivered and is in operation

The Air Compressor that was purchased through the FEMA Grant has been received

The 6X6 ATV and Trailer purchased with money raised through fundraisers will be in next week.

Discussed was the tower rental agreement with Adams-Columbia Electric Company. The rental cost will be \$185.00 per month; this will be placed on next months agenda.

**Public Safety Committee:** The Public Safety Committee met February 14, 2006.

A street problem on East Grove Street (east of Walker St.) was discussed.

Chief Gold reported on the 50-50 Grant received for new vests for the department.

Discussion was held relating to Property Maintenance Violations. Building Inspector White submitted a report with pictures that he is working on to improve. It was recommended that Administrator Ellisor report at the next meeting the results and recommendations for further action.

It was recommended to eliminate ordinances presented by Chief Gold and Administrator Ellisor and to send the report to the Policy and Procedure Committee.

The creation of a policy on blood withdrawals involving driving while intoxicated will be complete for the next meeting.

There was a recommendation to place the new crosswalks signs at the intersections of Main and Goggin Streets. This will be sent to Public Works Committee.

**Public Works Committee:** The Committee met February 15, 2006.

A recommendation was made to have Administrator Ellisor coordinate an AD Hoc Committee considering of representatives of the City, Little League, Gus Macker organizers, and Burt Morris to review playground equipment upgrades at Burt Morris Park.

General discussion was held relating to ball diamonds and additional ball fields. There was no recommendation.

The “campers” from Oxford Prison are scheduled for mid-May. Some of the work they will be providing will be the flower barrel arrangements, working on the hiking trails, and cleaning of drainage ditches.

Dale Reichhoff from D.L. Gasser Construction will be attending the next Public Works Meeting for coordination in the start-up of the continuing Rural Development Project. A problem of a private fence located on City right-of-way was discussed.

General Discussion was held on the South Side Utility project and close-out of the construction contract. Discussion was held regarding a sewer connection at Adams Flea Market to the new force main along Hwy 13. This will be addressed on next agenda.

Committee held discussion on placement a radio antenna on the East Water Tower. Richard Handrow of T-NET Inc., provided information to the Committee concerning the type of antenna and method of installation. The proposed tower lease agreement included a \$225.00 monthly rental fee for use of the tower. It was recommendation to enter into a lease agreement with T-Net Inc. for antenna placement on the east water tower, pending approval of the final contract language by Attorney Pollex. There is to be no welding or torch work done to the tower.

#### Report of City Officers:

##### **Mayor Romell:**

Mayor Romell reported he attended the County Highway Safety Committee Meeting. Numerous County issues were discussed.

The Department of Transportation will need to be contacted relating to the City’s intention to place crosswalk signs on Main Street (Highway 13).

He will be attending a meeting, along with Dave Mead, Bob Berry, and Bob Ellisor for the UV disinfection study that will be done on the City’s water system. The Department of Natural Resources has okayed the project.

He also attended a seminar with Bob Ellisor that discussed future levy limiting to be imposed upon municipalities.

##### **City Administrator:**

Administrator Ellisor expanded on the seminar relating to future levy limits. The City has self-imposed levy restraint for past years, therefore it will be extremely difficult for future budgeting. A two percent plus an amount for new construction (outside TIF Districts) would be allowed. This does allow for increases in cost of living, wages, or insurance costs. When TIF Districts are dissolved, it will create an even larger budget situation.

Requests for Proposals for Auditing Services have been mailed and should be returned by February 28<sup>th</sup>.

##### **City Attorney:**

Attorney Pollex advised there are a few changes in the tower lease agreement that he would recommend.

In response to a recent “cat complaint”, he stated that under State Statutes, the City has the authority to appoint an unbiased professional to investigate complaints when there are reasonable grounds. Following an investigation, the individual could issue a citation if warranted.

Commenting upon the water issue, Attorney Pollex stated the City would have the right to withhold service, shut off water, to high consumption users should there be and adverse affect on water supply.

### **Chief Gold:**

There were 298 calls received by the Adams Police Department this month resulting in 35 case number incidents including 6 car accidents. 51 adults and 8 juveniles were arrested for a total of 59 arrests during the month. A total of 3,780 miles of patrol were performed.

The Police Department is now online using the TRACS (Traffic and Criminal Software) for reports.

### **Street Superintendent:**

Street Superintendent gave an update on snow removal after the recent snowfall. Public Works Department will be checking for sidewalks not cleared of snow and ice and will do so if necessary.

As the mayor reported, he will be attending a meeting relating to the water study being conducted in Adams. He anticipates that the equipment will be installed into the well houses by mid-March.

D.L. Gasser's schedule for start-up of the continuing Rural Development Project will be discussed at the next Public Works Meeting. It is anticipated that construction will begin again the first week in April.

### **New and Unfinished Business:**

No action was taken relating to the reconsideration of Action on February 6, 2006, relating to authorizing the signing of a Development Agreement with Ermera Canada Ltd.

The Mayor's veto of the City Administrator's Employment Agreement was not overridden.

The Mayor's veto of Resolution No. 2006-03R, addressing the Street Superintendent's salary and benefits was not overridden.

A resolution to reduce the size of the Election Board for the April 5, 2006 General Election was introduced. Mayor Romell waived the second reading to allow action this evening.

**Motion by Eggebrecht, second by Williams to adopt Resolution No. 2006-09R (see appendix B of Minutes Book) which reduces the size of the Election Board for the April 5, 2006 General Election. Roll call vote, all voted aye.**

**Motion by LaQuee, second by Jensen to authorize the issuance of Operator Licenses, contingent upon the successful completion of the Responsible Beverage Server Training Class to Judy Carlisle and Art Mueske. Roll call vote, all voted aye.**

**Motion by LaQuee, second by Williams to accept the Clerk/Treasurer Renner's notice of retirement, effective May 7, 2006. Roll call vote: Bernhagen, Eggebrecht, Jensen, LaQuee and Williams – aye; Hardin – nay.** Clerk/Treasurer Renner was thanked for the past twenty-three years of dedication to the City.

**Motion by Williams, second by Eggebrecht to adjourn from Open Session and reconvene in Closed Session to consider compensation or performance evaluation data of City Administrator and Department Head – SS 19.85(1)(c). Roll call vote, all vote aye.**

It was noted that an Open Session would immediately follow the Closed Session as noticed.

### *Closed Session*

Mayor Romell called the Closed Session to order. Present were Alderpersons Bernhagen, Eggebrecht, Hardin, Jensen, LaQuee, Williams, Mayor Romell, Attorney Pollex. Administrator Ellisor and Street Superintendent attended when requested. Attorney Pollex was excused during the Closed Session as was Chief Gold and Clerk/Treasurer Renner.

Administrator Ellisor's Employment Agreement and Street Superintendent Mead's salary and benefits resolution were reconsidered.

**Motion by Williams, second by LaQuee to adjourn from Closed Session and immediately reconvene in Open Session. Roll call vote, all voted aye.**

*Open Session*

Mayor Romell called the Open Session immediately following the Closed Session. On roll call were Alderperson Bernhagen, Eggebrecht, Hardin, Jensen, LaQuee, Williams, Mayor Romell, Administrator Ellisor, and Street Superintendent Mead. Attorney Pollex and Chief Gold were excused.

**Motion by Eggebrecht, second by Jensen to amend the previously adopted Employment Agreement with Administrator Ellisor by changing the base wages to \$56,000.00 annually and in Article 9 of the Agreement (relating to termination of the employee without cause) from 45 days to 130 days pay. A change in the Administrator's job description will be addressed in Personnel Committee as well. Roll call vote, all voted aye.**

**Motion by Williams, second by Jensen to adopt Resolution No. 2006-10R (see appendix B of Minutes Book) reflecting amendments to Resolution No. 2006-03R by changing the amount paid as a bonus for work performed in 2005 for Rural Development Project inspection work to \$9,300.00. In 2006, a wage rate equal to one and one-half (1-1/2%) the hourly wage rate will be paid to David S. Mead for hours exceeding typical day shift committed and logged to Rural Development Project inspection work. Project inspection pay shall be in addition to regular salary compensation. In addition, the job duties of the Street Superintendent will be rewritten in 2006. Roll call vote, all voted aye.**

**Motion by Williams, second by LaQuee to adjourn. Roll call vote, all voted aye.**

Linda L. Renner  
Clerk/Treasurer